



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/613,012	07/07/2003	Seong-Soo Kim	1572.1110	4509

21171 7590 04/05/2005

STAAS & HALSEY LLP
SUITE 700
1201 NEW YORK AVENUE, N.W.
WASHINGTON, DC 20005

EXAMINER

STERLING, AMY JO

ART UNIT	PAPER NUMBER
----------	--------------

3632

DATE MAILED: 04/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/613,012

Applicant(s)

KIM ET AL.

Examiner

Amy J. Sterling

Art Unit

3632

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 January 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15, 17-21, 23-29 and 31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 27-29 and 31 is/are allowed.
- 6) ☒ Claim(s) 1-11, 15, 17-21, 23, 24 and 26 is/are rejected.
- 7) ☒ Claim(s) 12-14 and 25 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>1/3/05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This is the second non-final Office Action for application number 10/613,012 Installation Equipment for Display Main Body and Jig for Installation Equipment, filed on 7/7/03. Claims 1-15, 17-21, 23-29 and 31 are pending. This is the second non-final Action is in response to applicant's reply dated 1/3/05. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

This application claims priority to Korea 2002-57234, dated 9/19/02.

Specification

The disclosure is objected to because of the following informalities:

The description of the prior art as found on pages 1-2, line 21 contains reference to a Japanese Patent Publication No. 2000-344934 which is an incorrect number for the prior art in which is refers. The above Patent Publication refers to an "Apparatus for Dehydrochlorination Treatment of Waste Plastic" and not to a bracket as recited by the specification. Appropriate correction is required.

Information Disclosure Statement

The listing of references in the specification is not a proper information disclosure statement. 37 CFR 1.98(b) requires a list of all patents, publications, or other information submitted for consideration by the Office, and MPEP § 609 A(1) states, "the list may not be incorporated into the specification but must be submitted in a separate

Art Unit: 3632

paper." Therefore, unless the references have been cited by the examiner on form PTO-892, they have not been considered.

The reference as recited by the Prior Art in the Specification seems to be in error, see objection above.

The information disclosure statement (IDS) submitted on 1/3/05 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 1-10, 15 and 17-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1, lines 5-6 recites, "a second link having a first end... and a second end rotatably attached to a second end of the second link" and it is unclear how the second link can be attached to itself. The claim should read, "attached to a second end of the first link".

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 11, 21, 23, 24 and 26 are rejected under 35 U.S.C. 102(e) as being anticipated by United States Patent Publication No. 2002/0033436 to Peng et al.

The patent to Peng et al. discloses an apparatus for mounting a display including an upper main bracket (upper 311) attached to the installation surface and detachably attached to an upper back of a display main body (40) and a lower main bracket (lower 311) attached to the installation surface and detachably attached to a lower back of the display main body (40) and a jig (41, 334) having a jig frame (334) shaped like a plate and having a first part of a supporting arm (323) rotatably attached to the jig frame (334) and a pair of supporting arms (323) attached at opposite ends of the jig frame (334) which have a first part attached to opposite end parts of the jig frame (334) and a

Art Unit: 3632

second part detachably attached to the installation equipment, wherein one of the support arms and jig frame has a first slot (331) shaped like an arc (portions of the slot are arcuate in shape) which provides guiding rotation of the supporting arm relative to the jig frame within a predetermined angle and the other supporting arm and jig frame has a second slot (331) with a guide projection (321) inserted into the second slot and guided by the shape of that slot. Peng et al. also teaches wherein the second part of the supporting arm has a projection part (324) protruding in correspondence with a projection holding part (312) of the installation equipment.

Response to Arguments

Applicant's arguments with respect to claims 1-11, 15, 17-21, 23, 24 and 26 have been considered but are moot in view of the new ground(s) of rejection.

Allowable Subject Matter

Claims 1-10, 15 and 17-20 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

The reason is that the prior art of record does not teach a jig shaped like plate and having a first part of a supporting arm rotatably attached to the jig frame, in combination with a link assembly having a first link having a first end rotatably attached to the installation surface, a second link having a first end rotatably attached to the display main body and a second end rotatably attached to a second end of the first link

Art Unit: 3632

and a spring member provided in at least one joint area of the first and second links and elastically biasing the display main body towards the wall, a lower supporting bracket attached to the installation surface and rotatably supporting a lower back of a display main body and an upper supporting bracket attached to the installation surface and supporting the link assembly.

Claims 12-14 and 25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The reason is that the prior art does not teach wherein the upper and lower main brackets are formed with projection holding parts in correspondence to a plurality of projections provided in a back of the display main body. Also, the prior art does not teach wherein the projection part includes three magnetic projections.

Claims 27-29 and 31 are allowed.

The reason that the prior art does not teach a jig frame shaped like a plate and at least one pair of supporting arms including a first part attached to opposite ends of the parts of a jig frame and a second part detachably attached to the installation equipment in combination with an upper bracket attached to the installation surface and rotatably attached to a torsion spring link assembly that is rotatably detachably attached to an upper back of the display main body and a lower bracket attached to the installation surface and rotatably detachably attached to a lower back of the display main body. The prior art does not teach the method of installing the main body to a surface including attaching an upper bracket to the installation surface, attaching, detachably

Art Unit: 3632

and rotatably the upper bracket to a torsion spring link assembly that is rotatably detachably attached to an upper back of the display main body, attaching a lower bracket to the installation surface, attaching detachably and rotatably the lower bracket to a lower back of the display main body, wherein the upper bracket, the torsion spring link assembly and the lower bracket have installation equipment and using a jig to install the installation equipment onto an installation surface wherein the jig has a frame shaped like a plate and at least one pair of supporting arms including a first part attached to opposite end parts of the jig frame and a second part detachably attached to the installation equipment.

Conclusion

Any inquiry concerning this communication should be directed to Amy J. Sterling at telephone number 703-308-3271. The examiner can normally be reached (M-F 8 a.m.-5:00 p.m.). If attempts to reach the examiner are unsuccessful, the examiner's supervisor, Leslie Braun can be reached at 703-308-2156. The fax machine number for the Technology center is 703-872-9306 (formal amendments) or 703-308-3519. Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center receptionist at 703-308-2168.

We're moving to the new campus on April 7, 2005, see the new contact numbers listed below, which will be valid as of April 8, 2005.

Application/Control Number: 10/613,012

Page 8

Art Unit: 3632

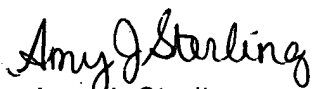
Amy Sterling 571-272-6823

Amy Sterling (Informal Fax) 571-273-6823

Leslie Braun 571-272-6815

Formal Fax 703-872-9306

Receptionist 571-272-3600

A handwritten signature in cursive script that reads "Amy J. Sterling".

Amy J. Sterling

3/30/05